

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8599 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE D.A.MEHTA Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
 5. Whether it is to be circulated to the Civil Judge? : NO

R B BHAMBHOR

Versus

STATE OF GUJARAT

Appearance:

MR DC RAVAL FOR MR ANAND for Petitioner
MR KT DAVE, AGP. for Respondents No. 1, 2

CORAM : MR.JUSTICE D.A.MEHTA

Date of decision: 19/04/2001

ORAL JUDGEMENT

1. The petitioner is belonging to Scheduled Tribes category and was accordingly promoted to the post of Deputy Mamlatdar on the vacancy reserved for Scheduled Tribes' candidates.

2. The petitioner has challenged the action of the respondent 'State' as the respondent is likely to revert the petitioner with effect from 31/12/1988 on the applicability of principles 'last come first go'. There is no dispute between the parties that now controversy is wholly concluded by the decision of this Court in the case of R.K.Prajapati & Ors. v. State of Gujarat & Ors, reported in 33(2) G.L.R.1422 and hence we need not elaborately deal with the facts and contentions. The petition is accordingly allowed following the ratio laid down by this Court in the case of R.K.Prajapati & Ors v. State of Gujarat (Supra). Rule is made absolute with no order as to costs.

Sd/-

(D.A.Mehta, J)

m.m.bhatt